

Message Text

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PAGE 01 BOGOTA 02130 061333Z

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FM AMEMBASSY BOGOTA

TO AMCONSUL CURACAO IMMEDIATE

INFO SECSTATE WASHDC 7400

UNCLAS BOGOTA 2130

EO 11652: NA

TAGS: CPRS, CO, NA (M/V MIL MAR I)

SUBJ: AMERICAN PROPERTY: USFLAG VESSEL "MIL MAR I" AKA SAN GREGORIO

REF: A. CURACAO 132 B. STATE 048183 C. STATE 049094

1. CONSOFF VISITED CHIEF OF INTERPOL GRAL IGNACIO MENDEZ-PARIS AND GAVE HIM COMPLETE BRIEFING ON THE MIL MAR I. GRAL MENDEZ PROMISED TO EXPEDITE VERIFICATION OF DOCUMENTS WHEN THEY ARRIVE. SINCE MIL MAR I WAS ACTIONED BY A CARTAGENA COURT AND ITS ACQUISITION BY ONE PETER GROSSICH WAS DULY REGISTERED WITH NOTARY PUBLIC AS REQUIRED BY LAW (SEE BELOW FOR BACKPTOUND INFO), DOCUMENTS MENTIONED REFTEL A PRESUMABLY ORIGINATED AT CARTAGENA AND WILL HAVE TO BE SENT THERE FOR VERIFICATION. THEREFORE MOST LIKELY DOCUMENTS WILL BE VERTIFIED AS LEGAL. PROCESSING MAY TAKE 10 DAYS AFTER RECEIPT BY INTERPOL BOGOTA.

2. FOR CONSULATE'S INFORMAION ON APRIL 17/74 FOURTH LABOR CIRCUIT COURT IN CATAGENA AUTCIONED THE BOAT WHICH WAS ACQUIRED BY PETER GROSSICH, THE TRANS-ACTION WAS REGISTERED BY PUBLIC DEED NO. 394 ON MAY 10/74 BY THIRD NOTARY PUBLIC OF CARTAGENA. ACTION WAS RESULT OF LABOR SUIT BETWEEN GROSSICH, PLAINTIFF AND LUIS JOSE CASTRO, DEFENDANT WHICH AROSE FROM A PURPORTED CONTRACT SIGNED IN SEP/71 BETWEEN CASTRO, PREVIOUSLY APPOINTED AS SEQUESTOR FOR THE MIL MAR I BY ANOTHER COURT IN AN EMBARGO SUIT AND GROSSICH WHO HAD BEEN PREVIOUSLY APPOINTED BY THE SAME CASTRO

UNCLASSIFIED

PAGE 02 BOGOTA 02130 061333Z

CASTRO AS DEPOSITOR FOR THE BOAT. ACCORDING TO THE ALLEGED

CONTRACT GROSSICH WAS TO PROVIDE ADMINISTRATIVE SUPPORT AND REPAIRS FOR THE VESSEL. GROSSICH CLAIMED NON-PAYMENT OF APPORXIMATELY 28,000 BLS. VESSEL WAS ACTIONED FOR ABOUT 23,500 DOLLARS.

3. BECAUSE OF HIGHLY IRREGULAR COURT PROCEDURE AND SUSPICION OF COLLUSION BETWEEN ALL PARTIES INCLUDING THE JUDGE? EMBASSY SENT NOTE OF PROTEST TO FONOFF AND REQUESTED COMPLETE INVESTIGATION BY DISTRICT ATTORNEY WHICH IS NOW TAKING PLACE.

4. BELIEF THAT COLOMBIAN COURTS HAVE CLEARED MIL-MAR'S CLAIM TO VESSEL AS REPORTED IN REFTTEL B. PERHAPS BASED ON RECENT RULING MADE BY SANTA MARTA COURT IN FAVOR OF MIL MAR INC. WHICH LIFTED EMBARGO OF VESSEL. EMBARGO IMPOSED BY COURT AS RESULT OF LEGAL SUIT WHICH BEGAN IN 1971.

4. EMBASSY NOT AWARE THAT COLOMBIAN ATTORNEYS FOR MIL-MAR HAVE FILED SUIT WITH A VIEW TO ANNULING ACTION OF BOAT BY LABOR COURT. DR RAFAEL RIVAS PRESETNLY AWAY FROM BOGOTA. CONSOFF WILL DISCUSS RECENT DEVELOPMENTS WITH IM UPON DR. RIVAS' RETURN MARCH 7 AND WILL REPORT RESULTS OF CONVERSTAION. VAKY

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